

**Notice of Allowability**

Application No.

10/817,633

Examiner

Mia M. Thomas

Applicant(s)

SUN ET AL.

Art Unit

2624

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received by the Office on 10 October 2007.
2. ☒ The allowed claim(s) is/are 1-11, 14-21, 24-29, 32-34, 37-39.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application
- ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. This Office Action is responsive to the applicant's remarks and summary received on 10 October 2007. At page 3, before this amendment, claims 1-40 were pending. After this amendment, claims 1-11, 14-21, 24-29, and 32-39 are pending. Canceled claims are 12, 13, 22, 23, 30-31 and 40. Amended claims are 1,9,17,26-27,32 and 37-38. No new claims have been added. Applicant amends claims 1,9,17,26-27,32 and 37-38. Examiner has entered the amended claims for further prosecution for instant application 10/817,633.

### *Response to Arguments*

#### Formal Drawings

2. Applicant's arguments--- see page 17, filed 10 October 2007, with respect to "Formal Drawings" have been fully considered and are persuasive. The objection of Drawing Figures 1-3,9-11, 12, 16 and 18-28 has been withdrawn. Applicant has submitted replacement drawings to correct the informalities of the aforementioned drawing figures and the new drawings have been accepted.

#### Claim Rejections

3. Applicant's arguments--- see page 18, filed 10 October 2007, with respect to "Claim Rejections under 112, 102 and 103" have been fully considered and are persuasive. Claims 9, 27 and 38 were rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph. In light of the amendments presented, Examiner withdraws the 112 rejections for claims 9,27 and 38.

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In view of the formal amendment submitted by applicant which adds the objected subject matter of claims 13, 23, 31 and 36 back to the independent (base) claims from which they depend, the elements of these claims, 1, 17, 26, 32 and 37 are now considered to be allowable subject matter. Examiner withdraws the rejection of claims 1-11, 14-21, 24-29, and 32-39 and allows the pending claims.

***Allowable Subject Matter***

4. Claims 1-11, 14-21, 24-29, and 32-39 are allowed.

5. The following is an examiner's statement of reasons for allowance:

Claims 1, 17, 26, 32, and 37 are drawn to a method, computer readable-media, and an apparatus with means + function language, respectively, that comprise the steps of luminance correction. Claims 1, 17, 26, 32 and 37 uniquely identify the distinct features of "determining the spatial coherence comprising utilizing spatial region matching, wherein the region matching comprises: segmenting a blurred one of the two images into a plurality of similarly colored regions, eroding each of the regions; determining a number of iterations to completely erode each region; determining a region center for each of the regions; sorting the iterations numbers in descending order; selecting pixel pairs from the images in matching positions; and calculating a neighborhooding value for each selected pixel."

The closest prior art made of record with regards to the Examiner's 102 and 103 rejections includes:

Chen (US Patent 6,556,704); Chen in combination with Hamilton (US Patent 6,075,889); and Chen in combination with Hamilton and Kang (US Patent 6,879,731).

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mia M. Thomas whose telephone number is 571-270-1583. The examiner can normally be reached on Monday-Friday 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vikkram Bali can be reached on 571-272-7415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mia M. Thomas



**VIKKRAM BALI  
PRIMARY EXAMINER**

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Examiner  
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